

A

Practitioner's Docket No. 17396/09057CIP

PATENT

Preliminary Classification:
Proposed Class:
Subclass:

J1050 U.S. PTO
10/08/02
02/21/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Box Patent Application
Commissioner for Patents
Post Office Box 2327
Arlington, VA 22202

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of

Inventor(s): Jawed Asrar, Ernest F. Sanders, and Yiwei Ding

CERTIFICATION UNDER 37 C.F.R. § 1.8(a) and 1.10*
(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional)

I hereby certify that, on the date shown below, this correspondence is being.

MAILING

☒ deposited with the United States Postal Service in an envelope addressed to Box Patent Application, Commissioner for Patents, P. O. Box 2327, Arlington, VA 22202

☐ with sufficient postage as first class mail.

37 CFR 1.10

☒ as "Express Mail Post Office to Addressee" Mailing Label
No ET938670044US.

TRANSMISSION

☐ facsimile transmitted to the Patent and Trademark Office, 703 _____


Signature

Date: February 21, 2002

Diane Filatov

Type or print name of person certifying

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

For (title): METHOD OF IMPROVING YIELD AND VIGOR OF PLANTS BY TREATMENT
 WITH DIAZOLE, TRIAZOLE AND STROBILURIN-TYPE FUNGICIDES

1. Type of Application

This transmittal is for a continuation-in-part (C-I-P) application.

2. Benefit of Prior U.S. Application (35 U.S.C. Sections 119(e), 120, or 121)

The new application being transmitted claims the benefit of prior U.S. applications as follows:

"This application is a continuation-in-part of copending application serial number 10/026,301 filed on December 19, 2001, which claimed priority to U.S. Provisional Patent Application Serial Number 60/257,502 which was filed on December 22, 2000."

3. Papers Enclosed

A. Required for filing date under 37 C.F.R. 1.53(b) (Regular) or 37 C.F.R. 1.153 (Design) Application

67 Page(s) of Specification (including title page)

8 Page(s) of Claims

1 Page(s) of abstract

B. Other Papers Enclosed

5 Page(s) of Patent Application Data Sheet

4. Declaration or Oath

Not Enclosed.

Application is made by a person authorized under 37 C.F.R. Section 1.41(c) on behalf of all of the above-named inventors.

5. Inventorship Statement

The inventorship for all the claims in this application is the same.

6. Language

English

7. Assignment

An assignment of the invention to follow.

8. **Certified Copy**

Not applicable.

9. **Fee Calculation (37 C.F.R. Section 1.16)**

Regular Application

CLAIMS AS FILED					
Claims	Number Filed	Basic Fee Allowance	Number Extra	Rate	Basic Fee 37 CFR 1.16(a) \$740.00
Total Claims (37 CFR 1.16(c))	63	- 20 =	43 x	\$18.00	\$774.00
Independent Claims (37 CFR 1.16(b))	8	- 3 =	5 x	\$84.00	\$420.00
Multiple Dependent Claim(s), if any (37 CFR 1.16(d))			+	\$280.00	\$0.00
Filing Fee Calculation					\$1,934.00

10. **Fee Payment Being Made at This Time**

Total Fees Enclosed **\$1,934.00**

11. **Method of Payment of Fees**

Check in the amount of \$1,610.00 is enclosed.

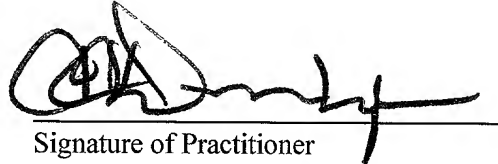
12. Instructions as to Overpayment

Credit Account No. 50-1196.

13. Relate Back

"This application is a continuation-in-part of copending application serial number 10/026,301 filed on December 19, 2001, which claimed priority to U.S. Provisional Patent Application Serial Number 60/257,502 which was filed on December 22, 2000."

Date: Feb. 21, 2002



Signature of Practitioner

Reg. No.: 35,124
Tel. No.: 864-250-2238
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Jawed Asrar, Ernest F. Sanders, and Yiwei Ding
Application No.: Not yet assigned Group No.: Unknown
Filed: February 21, 2002 Examiner: Unknown
For: METHOD OF IMPROVING YIELD AND VIGOR OF PLANTS BY TREATMENT WITH DIAZOLE,
TRIAZOLE, AND STROBILURIN-TYPE FUNGICIDES

Box Patent Application
Commissioner for Patents
P.O. Box 2327
Arlington, VA 22202



02-21-2002

U.S. Patent & TMO/TM Mail Rcpt Dt. #22

EXPRESS MAIL CERTIFICATE

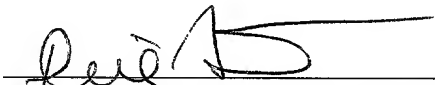
"Express Mail" label number ET938670044US
Date of Deposit February 21, 2002

I hereby state that the following *attached* papers or fees

1. Fee Transmittal (1 page).
2. New Application Transmittal (4 pages).
3. Patent Application Data Sheet (5 pages).
4. Patent Application, Title Page - Abstract (76 pages).
5. Check for \$1,93400
6. Return Postcard.

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. section 1.10, on the date indicated above and is addressed Box Patent Application, Commissioner for Patents, P.O. Box 2327, Arlington, VA 22202.

Diane Filatov


Signature of person mailing paper or fee

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

Complete if Known

Application Number	Unassigned
Filing Date	02/21/2002
First Named Inventor	Jawed Asrar et al.
Examiner Name	Unknown
Group Art Unit	
Attorney Docket No.	17396/09057CIP

TOTAL AMOUNT OF PAYMENT (\$ 1934.00)

METHOD OF PAYMENT

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number	50-1196
Deposit Account Name	Nelson Mullins Riley...

- ☒
- Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status See 37 CFR 1.27

- 2.
- ☒
- Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	740.00
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) (\$ 740.00)

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
63	-20** = 43	18.00	774.00
8	-3** = 5	84.00	420.00
Multiple Dependent			0.00

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 1194.00)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 0.00)

SUBMITTED BY

Name (Print/Type)

Charles E. Dunlap

Registration No.
(Attorney/Agent)

35,124

Complete (if applicable)

Telephone

864-250-2238

Signature

Date

02/21/2002

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